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October 16, 2007

**BY FACSIMILE**

Honorable Loretta A. Preska  
United States Courthouse  
500 Pearl Street, Room 1320  
New York, New York 10007  
Fax: 212-805-7941

Re: Damaris Cuevas v. City of New York, et al., 07 CV 4169

Your Honor:

As the Assistant Corporation Counsel assigned to the defense of the above-referenced civil rights action, I write to respectfully request that defendants City of New York's time to answer or otherwise respond to the complaint in this action be enlarged sixty (60) days from October 18, 2007 to and including December 18, 2007.<sup>1</sup> I have conferred with plaintiff's counsel, Warren Goodman, Esq., and he consents to this initial sixty (60) day enlargement of time.

The complaint alleges, *inter alia*, that on May 27, 2004, several unidentified New York City Police Officers issued plaintiff a summons for disorderly conduct and subsequently employed excessive force, falsely arrested and maliciously prosecuted plaintiff in violation of her state and federal civil rights. As a threshold matter, an enlargement of time will allow this office to forward to plaintiff for execution authorizations for the release of the underlying arrest, criminal prosecution and medical records. Defendant cannot obtain these records without the authorizations, and without the records, defendant cannot properly assess this case or respond to the complaint. Accordingly, defendant requires this enlargement so that this office may obtain the underlying documentation, properly investigate the allegations of the complaint and fulfill its obligations under Rule 11 of the Federal Rules of Civil Procedure.

No previous request for an enlargement of time has been made. Accordingly, defendant City of New York respectfully request that its time to answer or otherwise respond to the complaint be enlarged to sixty (60) days from October 18, 2007 to and including December 18, 2007.

SO ORDERED

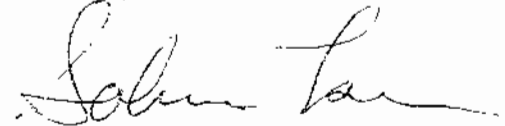
<sup>1</sup> This case has been assigned to Assistant Corporation Counsel Katherine E. Smith, who is presently awaiting admission to the bar and is handling this matter under supervision. Ms. Smith may be reached directly at (212) 513-0462.

October 16, 2007

LORETTA A. PRESKA  
UNITED STATES DISTRICT JUDGE

I thank Your Honor for considering this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sabrina Tann", with a long horizontal flourish extending to the right.

Sabrina Tann (ST 2552)  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: Warren S. Goodman, Esq.  
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